

REMARKS

By this amendment, claim 2 has been cancelled, claims 1, 3, 4, 9, 17 and 19 have been amended, and claims 21-23 have been added. Thus, claims 1 and 3-23 are now active in the application. Reexamination and reconsideration of the application are respectfully requested.

At the bottom of page 5 of the Office Action, the Examiner kindly indicated that claims 4, 9 and 17-20 would be allowable if rewritten to overcome the rejection under 35 U.S.C. 112, second paragraph and to include all of the limitations of the base claim and any intervening claims.

Accordingly, each of claims 4, 9, 17 and 19 has been rewritten in independent form to include all of the limitations of the base claim 1 and any intervening claims. More specifically, claim 4 has been amended to incorporate the limitations of claims 1 and 2; claim 9 has been amended to incorporate the limitations of claims 1 and 3; claim 17 has been amended to incorporate the limitations of claims 1 and 3; and claim 19 has been amended to incorporate thereinto the limitations of claim 1. The claim language of all of the claims has also been thoroughly reviewed and revised to overcome the rejection under 35 U.S.C. 112, second paragraph, by addressing each of the problems noted by the Examiner, and to otherwise improve the form of the claim language.

As such, it is submitted that claims 4, 9, 17 and 19, as well as claims 18 and 20 which depend from claims 17 and 19, respectively, are clearly allowable.

On page 2 of the Office Action, the Examiner kindly indicated that claims 5-17 should have been identified as --(withdrawn)--. Accordingly, claims 5-17 are now so identified.

Also on page 2 of the Office Action, the Examiner objected to the title as being insufficiently descriptive. Accordingly, the title has been amended to read --FASTENER FOR EXERTING TIGHTENING TORQUE TO FASTENING MEMBER SCREWED INTO MOUNTING BASE--.

On pages 4 and 5 of the Office Action, claims 1 and 2 were rejected under 35 U.S.C. 102(b) as being anticipated by Tanimura (U.S. 6,257,813); claims 1 and 3 were rejected under 35

U.S.C. 102(b) as being anticipated by Mendenhall (U.S. 1,301,958); and claims 2 and 8 were rejected under 35 U.S.C. 103(a) as being unpatentable over Mendenhall in view of Tanimura. These rejections are believed clearly inapplicable to claims 1, 3 and 8 in view of the amendments to claim 1, for the following reasons.

With exemplary reference to present Figs. 1-4, claim 1 now sets forth a fastener for continually exerting a tightening torque to a fastening member B fixedly screwed onto a mounting base A, comprising a torsion coil spring 1 formed in a winding shape so as to be inserted in an axial direction onto the fastening member B and having a fixing end 13 to be fixed onto the mounting base A so that tightening torque can be accumulated in the torsion coil spring 1, and a detachable stopper 2 configured to be fitted to the torsion coil spring 1, with the torsion coil spring 1 having accumulated tightening torque, in such a manner that the detachable stopper 2 can be removed from the torsion coil spring 1 in order to release the accumulated tightening torque of the torsion coil spring, wherein the detachable stopper 2 is constituted by a cylindrical member.

In contrast to the present invention of claim 1, the Tanimura patent discloses, as indicated by the Examiner, a fastener comprising a torsion coil spring 110 having a fixing end 112 and being attachable to a fastening member 111 in the axial direction, and a detachable stopper 120 in the shape of a ring fitted to the outer periphery of the spring 110, but the Tanimura patent clearly does not disclose or suggest a detachable stopper constituted by a cylindrical member, as recited in claim 1. Rather, in Tanimura, the detachable stopper is constituted by "the string-formed member" wound around the entire outer periphery of the coil spring 110 (see column 9, lines 34-39 of Tanimura).

Also in contrast to the present invention of claim 1, the Mendenhall patent discloses, as indicated by the Examiner, a fastener comprising a torsion coil spring DA having a fixing end D⁵ and being attachable to a fastening member CA in the axial direction (at D⁴), and a detachable stopper EA, but does not disclose or suggest or suggest that the detachable stopper is constituted by a cylindrical member as required by claim 1. Rather, in the Mendenhall patent, the detachable

stopper is constituted by a tension-holding clip which engages the turns of the coil spring DA at a single circumferential location thereof.

Thus, as discussed above, it is apparent that neither of the Tanimura patent and the Mendenhall patent discloses the features as now recited in claim 1. As such, present claim 1 is clearly not anticipated by Mendenhall or Tanimura. Furthermore, the differences are such that a person having ordinary skill in the art would clearly not have been motivated to modify Tanimura or Mendenhall or to make any combination of the references of record in such a manner as to result in or otherwise render obvious the present invention of claim 1. Therefore, it is respectfully submitted that claim 1, as well as claims 3, 5-8, 10-16, and 21-23 are clearly allowable over the prior art of record.

In view of the foregoing amendments and remarks, it is respectfully submitted that the present application is clearly in condition for allowance. An early notice thereof is earnestly solicited.

If, after reviewing this Amendment, the Examiner feels there are any issues remaining which must be resolved before the application can be passed to issue, it is respectfully requested that the Examiner contact the undersigned by telephone in order to resolve such issues.

Respectfully submitted,

Kazuaki TANIMURA

By: 

Charles R. Watts
Registration No. 33,142
Attorney for Applicant

CRW/asd
Washington, D.C. 20006-1021
Telephone (202) 721-8200
Facsimile (202) 721-8250
February 22, 2007